

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

JOSE L. OLIVA,

Plaintiff,

v.

UNITED STATES OF AMERICA; MARIO  
J. NIVAR; HECTOR BARAHONA; and  
MARIO GARCIA,

Defendants.

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EP-18-CV-00015-FM

**ORDER GRANTING MOTION TO SUBSTITUTE COUNSEL FOR  
THE UNITED STATES**

Before the court is “Motion to Substitute Lead Counsel for the United States” (“Motion”) [ECF No. 76], filed May 17, 2019 by the United States (“Government”). Therein, the Government requests to substitute E. Paxton Warner with Lance Duke as counsel of record.<sup>1</sup> The Government explains that Mr. Warner was re-assigned within the United States Attorney’s Office, making proper representation “difficult, if not impossible . . . .”<sup>2</sup>

After due consideration, the court finds it is in the interest of justice to allow substitution of counsel. According the “Motion to Substitute Lead Counsel for the United States” [ECF No. 76] is **GRANTED.**

**SO ORDERED.**

**SIGNED** this 20 day of **May, 2019.**

  
FRANK MONTALVO  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> “Motion to Substitute Lead Counsel for the United States” 1, ECF No. 76, filed May 17, 2019.

<sup>2</sup> *Id.*